

REMARKS

Claims 1-15 have been examined. Claims 1-15 are all the claims pending in the application.

Formal matters

Applicant thanks the Examiner for accepting the drawings as filed on September 2, 2003, and for acknowledging claim to foreign priority. However, Applicant respectfully notes that the Examiner has not acknowledged receipt of the certified priority document, a copy of which was submitted by Applicant on September 2, 2003. Applicant therefore respectfully requests the Examiner to acknowledge receipt of the certified priority document in the next Office Action.

Applicant also notes that the Examiner has not reviewed and initialed the documents submitted in the April 10, 2006 IDS. Applicant therefore respectfully requests the Examiner to give required consideration to the documents submitted in the April 10, 2006 IDS and to initial the documents in the next Office Action.

Substantive matters

Claims 1-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Styczinski in view of Johnson, both already of record. Applicant respectfully traverses this rejection.

In response to Applicant's argument in the June 30, 2006 Amendment that one skilled in the art would not be motivated to combine the teachings of Styczinski and Johnson, the Examiner has reasserted the alleged motivation stated in the April 3, 2006 Office Action, but has

not responded to Applicant's arguments that the references teach away from their combination. (See June 30, 2006 Amendment at the paragraph spanning pages 12-13). Applicant respectfully reasserts these arguments, and respectfully requests the Examiner to respond to these arguments.

Claim 1 recites the feature wherein physical position information and operation contents of a failed storage device are input to a disk management mechanism when a fault such as a failure of one of the storage devices occurs. The Examiner asserts that this feature is taught by Styczinski at col. 12, lines 1-12.

In response to Applicant's arguments in the June 30, 2006 Amendment that Styczinski, at the cited portion, does not teach this feature, the Examiner asserts that the uncommitted list 212 of Styczinski teaches the claimed feature because the uncommitted list 212 is a variable list of addresses on write assist unit 104 where respective incomplete write operations are stored, and in the event of failure, the controller completes the writes in the remaining active service units. However, Applicant respectfully disagrees with the Examiner's position.

First, at col. 5, lines 64-65, Styczinski explicitly states that the uncommitted list 212 records operations, and not physical position information, as claimed. Second, at col. 6, lines 2-4, Styczinski provides more detail, indicating that the uncommitted list 212 is a list of "addresses on assist unit 104 at which the respective incomplete WRITE operations have been stored." In other words, the uncommitted list 212 stores only addresses pointing to parts of the write assist unit 104, and not physical addresses of the service units 105-108, much less of a failed service unit. Therefore, Applicant respectfully submits that the addresses in the uncommitted list 212 do

not correspond to the physical position information of the failed storage device, as set forth by claim 1.

Moreover, Styczinski does not teach the input of operation contents related to the failed storage device, as set forth by the claim.

Johnson contains no teachings relevant to these points. Therefore, Applicant respectfully submits that claim 1 is patentable over Styczinski and Johnson, either alone or in combination, for the above reasons.

Independent claims 7 and 13 recite features similar to claim 1 and are therefore patentable for the same reasons.

The remaining claims are patentable based on their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Response Under 37 C.F.R. § 1.116
U.S. Appln No. 10/652,030

Q77205

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Kevin C. Kunzendorf
Registration No. 58,308

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 20, 2006